

REMARKS

Initially, reconsideration and continued examination is respectfully requested. Applicants wish to thank the Examiner for the detailed Final Office Action and for the Notice of References Cited therein. Further, Applicants would like to thank the Examiner for acknowledging consideration of each of the documents listed on the form PTO-1449 submitted with the Information Disclosure Statement filed on July 22, 2009. In addition, Applicants would like to thank the Examiner for conducting an Interview with Applicants' Representative, Monica Ullagaddi, on February 19, 2010. During the Interview, features recited in independent claims 40, 43 and 54 were discussed, as well as various portions of the applied references (*i.e.*, SEZAN I and SEZAN II). Proposed amendments were also discussed.

Upon entry of the present amendment, claims 40, 41, 43, 44 and 54 will have been amended and dependent claims 48 and 51 will have been cancelled. In particular, the claims will have been amended to recite elements similar to features currently recited in dependent claims 41 and 44 and features previously recited in now-cancelled claims 48 and 51. Independent claims 40, 43 and 54 will have been amended to specify a set of viewpoint information and priority of the viewpoint information and further, determining whether a distribution request is a preview distribution request. Support for these amendments may be found at, for example, page 28, lines 8-21 and FIG. 7 of the Application specification as filed. Applicants respectfully submit that no prohibited new matter is introduced by these amendments. The amendments to claims 40, 41, 43, 44 and 54 and the cancellation of dependent claims 48 and 51 should not be considered an indication of Applicants' acquiescence to any of the outstanding rejections. Rather, Applicants have amended claims 40, 41, 43, 44 and 54 and cancelled dependent claims

48 and 51 to advance prosecution and to obtain early allowance of the present application.

In the outstanding Final Office Action, claims 40, 41, 43, 44 and 46-54 stand rejected under 35 U.S.C. §103(a) as being unpatentable over SEZAN et al. (U.S. Patent Application Publication No. 2005/0060641) (hereinafter, "SEZAN I") in view of SEZAN et al. (U.S. Patent No. 6,993,789) (hereinafter, "SEZAN II"). Claims 42 and 45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over SEZAN I in view of SEZAN II, and further in view of RUSSO et al. (U.S. Patent No. 5,619,247).

Applicants respectfully traverse the outstanding rejections. According to a non-limiting embodiment of the presently claimed invention, storage capacity required by the claimed storer is reduced by storing the claimed first metadata describing at least one set of viewpoint information (*e.g.*, keywords), priority information and time information, in order to dynamically generate previews. The claimed second metadata is generated and a preview is dynamically generated in response to a user request, instead of generating and storing preview *a priori*. *See e.g.*, paragraph [0179] of the published application (*i.e.*, U.S. Patent Application Publication No. 2002/0129371). According to another non-limiting embodiment of the presently claimed invention, a preview is dynamically generated based on at least one set of viewpoint information and priority information designated by a user, thereby enabling a user to advantageously determine, with greater reliability, whether delivered content is content that the user desires, by viewing a preview that is adaptively prepared from the user's desired views. In this manner, reliable distribution of desired content is ensured. *See e.g.*, paragraph [0180] of the published application. According to yet another embodiment of the presently claimed invention, insofar as viewpoint information and priority information is paired, and one set

of viewpoint information and priority information is assigned to each segment, the present invention enables determining a number of possible viewpoint and priorities combinations, for each segment. For example, when requesting a segment depicting a basketball game, metadata that includes both viewpoints and priorities is prepared for fans of each team playing in the basketball game. That is, even in cases where viewers have varying viewpoints and varying priorities, previews adapted to each viewer (*e.g.*, each team's fans) are provided.

In the outstanding Final Office Action, the Examiner asserts numerous portions of SEZAN I as teaching the claimed storer, request receiver, media/extractor generator, and media transmitter. Applicants respectfully submit that SEZAN I discloses retrieving segments to create a highlight based on clip identifiers (IDs). The Examiner acknowledges that SEZAN I fails to disclose or render obvious that clip IDs are keywords that are input by a client. However, the Examiner asserts SEZAN II as disclosing a system that allows users to create customized summaries of programs.

Applicants respectfully submit that neither SEZAN I and SEZAN II address difficulties associated with reliably identifying media content, to which the presently claimed invention is directed. As discussed above, according to one non-limiting embodiment of the present application, users are enabled to reliably determine whether distributed content is a client's desired content, even in a situation where there are viewers of varying perspectives, that is, viewers of varying viewpoints and priorities. Consequently, the purchasing of content is facilitated. By using the first metadata including at least one of viewpoint information and priority information for extracting segments, list information and distribution request, the presently claimed invention enables distributed content to more closely conform with user requests.

Applicants' amended independent claim 40 recites, *inter alia*, (A) a media distribution apparatus that selectively distributes views comprising original media of content and a preview summarizing the content and a request analyzer that determines whether the distribution request received by the request receiver is the media distribution request or preview distribution request for the content. Accordingly, the presently claimed invention enables a determination of whether a distribution request is a media distribution request or a preview distribution request, in order to encourage and facilitate distribution of views (*i.e.*, purchasing). Thus, previews are generated only when a user requests a preview distribution. Applicants respectfully submit that the combination of SEZAN I and SEZAN II fail to disclose or render obvious at least these above-noted features of Applicants' independent claim 40.

Applicants' amended independent claim 40 also recites, *inter alia*, (B) a storer that stores the views, and first metadata for explaining the views, the first metadata comprising a plurality of segments and describing at least one set of viewpoint information and priority of the viewpoint information, and time information, the at least one set of the viewpoint information and the priority of the viewpoint information, and the time information being assigned on a segment-by-segment basis, the viewpoint information comprising a keyword included in the first metadata for explaining the content. Applicants respectfully submit that neither SEZAN I or SEZAN II, either singularly or in any proper combination, disclose or render obvious preparing highlights adapted to a user's demands, that is, adapting the claimed viewpoint information and the claimed priority information for the viewpoint information. Applicants respectfully submit that the combination of SEZAN I and SEZAN II fail to disclose or render obvious at least these noted features.

Applicants' amended independent claim 40 further recites, *inter alia*, (C) a request receiver that receives a distribution request from a client terminal, the distribution request including identification information that identifies the content, at least one set of the viewpoint information comprising the keyword included in the first metadata for explaining the content and the priority of the viewpoint information, information that indicates one of a media distribution request and a preview distribution request, and desired time information that is input by the client terminal, the identification information and the at least one set of the viewpoint information and the priority of the viewpoint information being selected from list information that is distributed in advance, the list information comprising the identification information of the content, a set of the viewpoint information and the priority of the viewpoint information of the content assigned to each segment making up the first metadata, and playback time information of the content. Applicants respectfully submit that the combination of SEZAN I and SEZAN II fails to disclose or render obvious at least these noted features. In this regard, it is submitted that both SEZAN I and SEZAN II disclose that summaries are generated and viewed at a (client-side) terminal, and therefore, do not explicitly disclose both the claimed media distribution apparatus and the claimed client terminal, let alone that the claimed media distribution apparatus transmits content to the client terminal, in response to a request. Further, as noted above, Applicants respectfully submit that neither SEZAN I or SEZAN II, either singularly or in any proper combination, disclose or render obvious preparing highlights adapted to a user's demands, that is, adapting the claimed viewpoint information and the claimed priority information for the viewpoint information.

Applicants' amended independent claim 40 recites, *inter alia*, (D) a media extractor/generator that, when the received distribution request is determined to be the preview distribution request, extracts, from the first metadata, a plurality of segments for making up the preview and adapted to the at least one set of the viewpoint information and the priority of the viewpoint information included in the received preview distribution request with respect to content corresponding to the identification information included in the received preview distribution request, and dynamically generates the preview having a time length corresponding to the desired time information included in the received preview distribution request, by fixing a plurality of segments as second metadata so as to have the time length corresponding to the desired time information, using the time information assigned to the extracted plurality of segments, and combining the views stored in the storer corresponding to the plurality of segments fixed as the second metadata. That is, the presently claimed invention is directed to generating a preview dynamically, extracting (*i.e.*, fixing) every time a distribution request is received, segments corresponding to views that are adapted to the distribution request and that make up a preview. The presently claimed invention is directed to dynamically generating the claimed second metadata adapted to the claimed distribution request, based on the claimed metadata.

In contrast, Applicants respectfully submit that both SEZAN I and SEZAN II are directed to determining and storing metadata related to views to make up previews, *a priori*, for each possible distribution request (hereinafter referred to as "summary metadata"), and when a distribution request is received, selecting the summary metadata corresponding to the received distribution request. SEZAN II is submitted to disclose that summaries allow viewers to consume more relevant information by concentrating on

salient parts of programs (or by) reducing their viewing time, and customizing their viewing experience. *See, e.g.*, col. 3, lines 16-23 of SEZAN II. In particular, Applicants respectfully submit that SEZAN II discloses that a viewer can (also) choose key clips that provide a summary of varying duration, as they are played back in a concatenated fashion, *e.g.*, a 10 minute-summary versus a 5-minute summary of a basketball game. SEZAN II further discloses that an inference engine selects the clips that will form the summary, which will best fit user preferences. *See, e.g.*, col. 8, lines 14-18 of SEZAN II. Applicants respectfully submit that SEZAN I discloses that clips are grouped to form highlight of a program, are grouped for every length of a highlight of a program, and are each specified by a start frame ID and an end frame ID, which Applicants submits are interpretable as summary metadata (as described above). When a user specifies a program by selecting a frame illustrated in the left part of the display shown in FIG.10 of SEZAN I and specifies the length of a highlight (*i.e.* a selection of summary metadata), Applicants respectfully submit that clips of a group corresponding to that highlight length is played back, thereby playing back a highlight. *See e.g.*, pages 9 and 10, paragraphs [0094] and [0095] of SEZAN I. Accordingly, Applicants respectfully submit that the clips disclosed by SEZAN I merely specify a frame to be played back and do not specify the claimed viewpoint information, priority information, time information. Therefore, Applicants respectfully submit that the combination of SEZAN I and SEZAN II fails to disclose or render obvious at least above-noted feature of the present invention and in particular, creating second metadata that is separate from the claimed first metadata created in advance, in order to generate previews dynamically. Accordingly, Applicants respectfully submit that the combination of SEZAN I and SEZAN II fails to disclose or render obvious at least one set of the viewpoint information comprising the keyword

included in the first metadata for explaining the content and the priority of the viewpoint information, information that indicates one of a media distribution request and a preview distribution request, and desired time information that is input by the client terminal, as recited in Applicants' independent claim 40.

In view of the above, Applicants respectfully submit that the combination of SEZAN I and SEZAN II fails to disclose or render obvious the claimed combination of features recited in independent claim 40, at least for the reasons noted above.

Further, Applicants respectfully submit that the method of independent claim 43 is also allowable for reasons similar to the above-noted reasons for the allowability of claim 40, in addition to reasons related to its own recitations.

Moreover, Applicants respectfully submit that the method of independent claim 54 is also allowable for reasons similar to the above-noted reasons for the allowability of claim 40, in addition to reasons related to its own recitations.

Applicants respectfully submit that claims 41-47 and 49, 50 and 52-53 are allowable at least because they depend, directly or indirectly, from independent claims 40 and 43, which Applicants submit have been shown to be allowable, in addition to reasons related to their own recitations. With regard to dependent claims 42 and 45, Applicants respectfully submit that RUSSO et al. fails to cure the deficiencies noted above with respect to SEZAN I and SEZAN II. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims upon which they depend, in addition to reasons related to their own recitations.

In view of the above, reconsideration and withdrawal of the rejection of claims 40, 41, 43, 44 and 46-54 under 35 U.S.C. §103(a) as being unpatentable over SEZAN in view of SEZAN II and the rejection of claims 42 and 45 under 35 U.S.C. §103(a) as

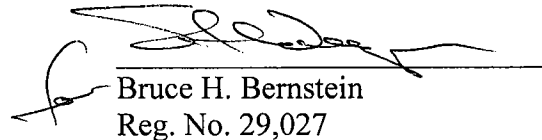
being unpatentable over SEZAN I in view of SEZAN II, and further in view of RUSSO et al. is respectfully requested.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attached thereto.

At least in view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections, together with an indication of the allowability of all pending claims, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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